This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

+ *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.

+ *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.

+ *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.

+ *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at `http://books.google.com/`

600007667W

29

802.

2 S. H. 1829

THE CONSTITUTIONAL ASSEMBLIES OF THE CLERGY, &c.

600007667W

29

802.

2 S. H. 1829

THE CONSTITUTIONAL ASSEMBLIES OF THE CLERGY, &c.

THE

CONSTITUTIONAL ASSEMBLIES

OF THE

CLERGY

THE

PROPER AND ONLY EFFECTUAL SECURITY

OF THE

Established Church.

BY

A PRESBYTER

OF THE REFORMED CATHOLIC CHURCH IN ENGLAND.

—οἴκῳ Θεοῦ—ἥτις ἐστὶν ἐκκλησία Θεοῦ ζῶντος, στύλος καὶ ἑδραίωμα τῆς ἀληθείας.—1 Tim. iii. 15.

——— exercita cursu
Flumina.———Virgil, *Georg.* III. 529.

LONDON:

PRINTED FOR C. J. G. & F. RIVINGTON,

ST. PAUL'S CHURCH-YARD,

AND WATERLOO-PLACE, PALL-MALL.

MDCCCXXIX.

702.

LONDON:

PRINTED BY R. GILBERT,

ST. JOHN'S SQUARE.

THE

CONSTITUTIONAL ASSEMBLIES

OF

THE CLERGY,

&c.

THERE is no doubt that the present is an era productive of many changes in the forms of society, which have been established in the western parts of the world, since the fall of the Roman empire. It was necessary and natural, that where Christianity was received, society should be moulded by it into such shapes as expressed the submission of the people, to the revelation which had been published to the world. As soon, consequently, as the governments which had been formed out of the wreck of the Roman empire, had become settled, provision was made for the maintenance of religious service; and the classes of society appeared distinguished into nobles, clergy, and commons. These, with the Sove-

reign at their head, were the three estates of the realm, in each European kingdom; and are the elements which still constitute every form of government that retains the principles of its institution.

In ancient France, that is, in France before the late revolution, the Courts of Parliament shewed marks of an origin precisely similar to that of our own House of Lords; which in a rude age was the general council of the realm, where the King distributed justice in the highest appeal to his people, and deliberated with his *magnates* on the arduous affairs of the kingdom. The Parliament of France was also anciently the deliberative council of the King, as well as the highest Court of Judicature; but through the disuse, in that country, of assembling the constituent bodies of the kingdom, when the General Estates were convoked by Lewis the XVIth; i. e. when the original principles of the constitution were called into action, the functions of the Parliament had become fixed, and it afforded no point of union between the people and the crown; had no power of preserving a balance between the estates—the revolution had taken place—the theory, and the practice of government were irreconcilable.

The present form of our constitution, or the mode by which the representative part of its

system is regulated, is traced to the reign of Edward I.; in the course of which Knights were summoned from each county, and Burgesses from every city, and town of importance, to represent the Commons of England; and that the whole body of the Clergy might appear by their representatives in the general assembly of the kingdom, (since they did not readily acquiesce in the exercise of any secular authority over them,) the King inserted in his writ to each Bishop, a clause *premonishing* him to call upon the *parochial* Clergy of his diocese to elect two Proctors; and that the *capitular* also, should appoint two of their own body; who together might represent the interests of the diocesan Clergy, and of the Chapters, in the Parliament which was about to meet; and contribute on their part to the general exigencies of the state; at which meeting also the Deans of Cathedrals, and Archdeacons, were summoned to attend personally. This was the original constitution of the present form of admitting the Commons and inferior Clergy to their share in regulating the public proceedings.

The first argument which would occur against the Clergy ever having really exercised parliamentary rights, arises from the evidence that their concurrence never has been necessary to

give force to the acts of the Commons. But this objection may be explained by considering the ancient mode of enacting laws; (which *form* still exists in those which originate with the Commons,) by petition, or the representation of grievances.

As the parliamentary presence of the Commons, and of the inferior Clergy, was required in the first instance chiefly to supply the wants of the King in the public business, their whole power grew out of the conditions on which they granted their supplies; or from the gracious compliance with which the King afterwards listened to their petitions. Their representations of grievances to be amended, or of benefits to be conferred, when consented to by the monarch surrounded by his Peers, received the force of law.

These bodies, the laical and clerical representatives, remained distinct therefore, from each other in their proceedings, performing peculiar offices according to their several duties, feelings, and interests in society at large; interfering only occasionally, in matters of common interest, or where those of each body seemed to clash.

It is no tenable argument then *in limine*, against the possession of parliamentary rights by the national assembly of the Clergy, to

allege that they have never concurred in the acts of the Commons.

Before the station allowed to the Church in our own kingdom is considered, a few observations will be necessary to represent the integral and distinct character of the Church itself. St. Paul, in his Epistle to Timothy, after having made the first draught which we possess, of what may be called the visible Church of Christ, the evident prototype of that which is established among us, guards it in the following words:—εἴ τις ἑτεροδιδασκαλεῖ, καὶ μὴ προσέρχεται ὑγιαίνουσι λόγοις τοῖς τοῦ Κυρίου ἡμῶν Ἰησοῦ Χριστοῦ, καὶ τῇ κατ' εὐσέβειαν διδασκαλίᾳ, τετύφωται, μηδὲν ἐπιστάμενος, ἀλλὰ νοσῶν περὶ ζητήσεις καὶ λογομαχίας *. The word ὑγιαίνουσι, at the conclusion of his preceding direction, has peculiar force in excluding any enthusiastic or visionary notions with respect to the whole form of Christianity just described. The spirit which breaks this order is characterized in the words which follow τετύφωται, κ. τ. ε. And the vices and evils which proceed from such disunion are recounted in the following enumeration, ἐξ ὧν γίνεται φθόνος, ἔρις, βλασφημίαι, ὑπόνοιαι πονηραί. 1 *Tim.* vi. 3, 4. The unity of the Church is thus established by St. Paul, in language, the truth, and beautiful

* 1 Tim. vi. 3, 4.

expression of which never were surpassed. ἐν οἴκῳ Θεοῦ—ἥτις ἐστὶν ἐκκλησία Θεοῦ ζῶντος, στύλος καὶ ἑδραίωμα τῆς ἀληθείας. (1 *Tim.* iii. 15.) The continued form and practice of the ancient Church succeeding to the age of the Apostles, show the care with which the principle of union was preserved in the establishment of Bishops, and of Choroepiscopi, or rural Deans, to connect together distinct congregations; and by the custom left in imitation of the Apostolical practice, of assembling all the Bishops of the Christian Church, whenever such a meeting should be expedient. The first laws which regulated the Church of Christ, were resolved on in an assembly composed of the Apostles, (who at the beginning may be considered to have filled the station now occupied by Bishops) and Presbyters, whose determinations were delivered, to be observed by the general body of disciples. *Acts* xvi. 3. ὡς δὲ διεπορεύοντο τὰς πόλεις, παρεδίδουν αὐτοῖς φυλάσσειν τὰ δόγματα τὰ κεκριμένα ὑπὸ τῶν ἀποστόλων καὶ τῶν πρεσβυτέρων τῶν ἐν Ἱερουσαλήμ.

Besides the ordinary meetings of the Ministers of every Rural Deanery, which was the first operation of the principle of union in our Church, synodical* assemblies were formerly

* The Presbytery were, in every city, a necessary standing Council to their respective Bishops, (whose power in the

not uncommon, where the Bishop received the advice of his Presbyters, and regulated the affairs of his diocese. But the *provincial* assemblies, in which the suffragan Bishops met their Archbishop, and took care of the general interests of the Clergy, and provided for the benefit of the whole Church; these are the meetings which are entrusted by the constitution with the charge of religion, and to which a parliamentary character was given, when the Commons, both spiritual and temporal, were called in their representatives to the national council.

The Church in these kingdoms, at the Reformation, did not sever itself from the Catholic Church, but followed the ancient form, and discipline, and doctrine, varying from that

Church was much like that of a King in one of our mixed monarchies,) and together with their Bishops, therefore, they met in a *Diocesan Synod*, upon all great causes; and without their advice and consent, nothing of importance was or could be determined. This was the settled rule of the Primitive Church, and was kept up to here in England, when it had declined almost every where else. And some remains of this ancient discipline are yet visible in those *Capitular Bodies*, planted in our Cathedral Churches; who, as they were originally intended to be a select Presbytery to the Bishop, for all the affairs of his diocese, so have they still a restraint upon his authority in several cases, by the known customs of this Church, and laws of the realm.—*Rights, Powers, &c. of an English Convocation, by Dr. Atterbury*, p. 5.

system which continued to be called the Catholic Church, only in what it appeared to be manifestly inconsistent with Scripture, and the earliest tradition. The Reformation, therefore, in England, is not maintained on the principle of entire liberty of conscience, (*νόμος κεῖται ἀνυποτάκτοις*, 1 *Tim.* i. 9.) nor gives any encouragement to deny the existence of the visible Church of Christ, "the pillar and seat of truth," *στύλος καὶ ἑδραίωμα τῆς ἀληθείας.*

They were the wild visions of Anabaptists, and of other heated enthusiasts; that spirit so well characterized by St. Paul, *τετύφωται μηδὲν ἐπιστάμενος*, which first destroyed the image of the Church, as represented by the Apostle, in breaking the link between separate congregations, and thus dissolving the Christian community. These phantasies, in which each individual was delivered up to the guidance of his own disordered imagination through his religious course, have produced their natural fruit,—"envy, contention, blasphemies, evil thoughts;" in which, under a semblance of liberality, (which is a word adopted to deceive, and is unintelligible to most of those who use it,) is couched an hostility to the Christian religion, which can be satiated only by the destruction of the image upon earth of truth, the visible Church of Christ. This Church, from the

beginning, was looked upon as the general society of all Christians, in which union was preserved among its different members by the superintendents over distinct congregations, or Bishops, and by the Metropolitan who presided over the suffragan Bishops. Which form, established by the Apostles, was to continue until the disciples of Christ shall grow into one body, under one Bishop, which is the Lord. It is this constant tendency to a more perfect union, which forms the present unity of the Christian Church, and gives it that distinct establishment which is recognized in every Christian community, and bestows a peculiar character on the pastors of the Church, which unites them into one body, and assigns them a leading station in those general assemblies, where the different estates of the realm meet, and exhibit the constituted authorities of the whole people.

The expressed object for which every parliamentary assembly is called, is to consult and provide for the good of the *Church* and the *kingdom.* The Clergy therefore, as a body, were necessarily considered as an integral part of the constitution. The mode in which the Clergy discharged their parliamentary duties, and exercised their parliamentary rights, is among the most obscure points in our history.

The confusion is created from the impatience with which the Clergy submitted to any civil authority. And when called together, with the other orders of the State, to provide for, and to contribute to its exigencies, they discharged these functions in their *provincial councils*, which had been held from time immemorial, and which now, by assuming into their body the representatives of the inferior Clergy, received a parliamentary character,—i. e. became connected with the national assembly.

The ecclesiastical councils, therefore, of the two provinces were held together, with the *parliamentary attendance* of the Clergy; this general assembly becoming known to our constitution under the name of the Upper and Lower Houses of Convocation, the former consisting of the Bishops and other prelates, under the presidency of the Archbishop of Canterbury, and the latter of the Deans and Archdeacons, with those representatives of the capitular and diocesan Clergy mentioned above. Their mode of proceeding, as described by Blackstone*, resembled that observed by the laical part of the Parliament; the Lower House resolved upon subsidies, and the expression of their wishes

* Vol. I. p. 279. Ed. 1773. The whole passage is worth consulting.

was conveyed to the Archbishop, attended by his suffragans, in the Upper House, by whom alone the general will of the Clergy could receive the force of any authority. This distinct image of an entire Parliament which the Convocation presents is what confuses our view when we attempt to consider accurately its rights and privileges.

In the beginning of the last century public attention was universally excited towards the constitution of the assemblies of the Clergy, by the evil consequences which had appeared from the recent neglect of them after the Clergy had ceased to subsidize themselves. And an ancient historian has recorded the ill effects in the morals and religion of the people, which had arisen from the disuse of the customary assemblies of the Clergy during the period of the change from the Saxon to the Norman authority in this country:—"Multis vero annis Synodali cultura cessante, vitiorum vepribus succrescentibus Christianæ religionis fervor in Angliâ nimis refrixerat."—*(Eadmer.)* When attention was last turned to the subject, as observed, a full and accurate inquiry was instituted into the functions of these assemblies by Dr. Atterbury, who, in the course of it, searched deeply into the foundations of our constitution, both in Church and State, but was charged

with having formed opinions which expressed too highly the independence of the inferior Clergy, in holding these meetings, both upon their metropolitan and the civil supremacy. Dr. Wake, afterwards Archbishop of Canterbury, undertook to correct these representations, and the sole object of his immense work of "The State of the Church," seems to have been to establish, against the positions of Dr. Atterbury, the exclusive right of the Crown to call the Clergy together, and of the Archbishop to prorogue them, a special license under the great seal being previously necessary before they proceed to consultation.

With respect to both these authorities, on which the Convocation depends for its being called, for licence to act, and for continuing in consultation, Dr. Wake has given the following constitutional, and, from the side he took, we may consider moderate description:—"Now that which makes such an authority," that of the Crown, "more reasonable in this case is, that herein the King claims no power over the Convocation but what is without controversy granted him over the Parliament. The right of calling, proroguing, and dissolving that great council is confessedly in the Crown; and the Lords and the Commons pretend not to deny it to him. Indeed, as the exigency of the State

required it, the King was always under an obligation of conscience, and duty to his people, from time to time, to call the estates of the realm together in Parliament. And to prevent the inconveniences which have arisen from a want of this in some reigns, a law has been made by which the King has consented to determine the intervals not to exceed three years: nor is it denied but that the case is the same in the business of Convocations, though no positive law be made for any determinate times of holding of them. The King ought to assemble them whenever there is any real business to be done by them; or that the welfare of the Church or realm require the holding of them. He may call, prorogue, and dissolve the Convocation when he thinks good; only so as still to attend to the public good of the Church and realm; and never to refuse it the liberty of sitting and acting when the interest of the one or the other shall call for it." (P. 124.)

With this constitutional limitation Dr. Wake "has no doubt but that the inferior Clergy have at this day a right to be called to Parliament," (p. 326.) Indeed, the enquiry cannot be instituted without such a result.

A page of our ancient history cannot be opened which does not afford testimony of as ample an exercise of all parliamentary rights,

duties, and privileges by the body of the Clergy as by the assembly of the Commons; the privilege of taxing themselves, the petition to the King for his sanction to their resolutions which passes them into a law, and the freedom of their persons from arrest when they are attending the general assembly.

This general right *possessed* by the Clergy, Atterbury contends, is not *at all exercised* by them, for that the right of the Bishops to sit in the House of Lords, i. e. to join the lay peers, arises from the *temporal Baronies* annexed to their Churches; and this opinion seems supported by ancient documents: "We, Thomas, Archbishop of Canterbury, and Robert, Archbishop of York, having a right, by virtue of our Churches and the *temporalities* thereof, to be present in singular the Parliaments of our Lord the King and realm of England, and of treating and acting in the same, do give full power," &c. —(*Wake*, p 327. *Rich.* II.) Atterbury, therefore, considers that the parliamentary functions of the Clergy can be exercised only in the House of Convocation, and that unless it be intended to strip the Clergy wholly of their constitutional rights, the powers which the Convocation ever possessed should be restored to it. To this argument Dr. Wake replies, that the whole Clergy are at present ade-

quately represented for ordinary occasions in the House of Lords. "But will this author then tell me to what purpose our statutes are still said to be enacted by the Lords spiritual as well as temporal, and Commons, in Parliament assembled? Do not they sit and vote and make laws in their ecclesiastical capacity; and as the great remainder of the state of the Clergy still more fully *called*, though not still assembling, and acting in Parliament? Now this was the common style even when the lower Clergy continued to come thither. The Bishops consulted with them apart, and in *their votes* the *suffrages* of the *whole state* were looked upon to be included. And either there are not now three *estates* in *Parliament*, or I am sure if there be, the Clergy must be allowed to be still, as they ever were, one of them. The whole *body*, by the King's writs, have a continued right to be there: the Bishops, by their constant exercise of it, have *practice* as well as *right* on their side, and as Bishops, do both sit and act there *."

The right, of the Clergy as a body to meet in Parliament, derived from the Crown, is here allowed by Dr. Wake. But as a compulsory practice of this right might in some cases be burthen-

* Wake, "State of the Church," &c. p. 335.

some, the *expediency* of doing so seems to be left to the exercise of the judgment of the Metropolitan, who has been accustomed, "in a fatherly tenderness to his distant Clergy, to assure them that they shall not be surprised;" that no public measure should be taken without his timely notice to the Clergy, that they may meet, and consider what was to be done on their part; "and when there is any business to be done for which they shall be required to choose a prolocutor, and meet in Convocation, they shall have a timely notice given them of it, and in the mean time he will excuse their absence, nor treat them as contumacious, though they do not appear according to their summons *."

It is unquestionable then, from all history and from existing records, that parliamentary rights were exercised by the Clergy in their Houses of Convocation as fully as they were by the representatives of the Commons; and that the right of the Clergy to assemble exists at this day, and of their treating and resolving upon all affairs in which the Church is interested. But their power has unfortunately ceased of securing a legislative force to their representations, since they relinquished the control over their own purse; and instead of

* P. 443.

regulating the subsidies contributed by the Church, have submitted to the general taxation imposed by the Commons.

If the Church could have depended on the full support of the civil power at all times, and for its authority in all acts which might appear requisite to the well-being of the Church, such a deposition of secular duties upon the secular part of the community would have been an act becoming a Christian assembly; as performed in the spirit with which the Apostles appointed Deacons for the management of the funds of the Church, they considering that it was not "reason, themselves should leave the Word of God to serve tables."

But what was the real character of this act we are unable to ascertain; at least our ordinary histories pass over in silence or merely notice the circumstances of it*. What might

* "The Convocation gave at the same time four subsidies, which proved as heavy on them as they were light on the temporality. This was the last aid that the spirituality gave; for the whole proving so inconsiderable, and yet so unequally heavy on the Clergy, it was resolved on hereafter to tax Church benefices as temporal estates were taxed, which proved indeed a lighter burden, but was not so honourable as when it was given by themselves: yet interest prevailing above the point of honour, they acquiesced in it. So the Convocation being no more necessary to the Crown, this made that there was less regard had to them afterwards.

be the arguments and persuasion which wrought upon the members of that Convocation must be

They were often discontinued and prorogued; and when they met, it was only for form."—*Burnet's Hist. of his own Times*, Vol. I. p. 276.

" A great alteration was made this session in the method of taxing the Clergy. In almost all the other monarchies of Europe, the assemblies, whose consent was formerly requisite to the enacting of laws, were composed of three estates—the Clergy, the nobility, and the commonalty, which formed so many members of the political body, of which the King was considered the head. In England too, the Parliament was always represented as consisting of three estates, but their separation was never so distinct as in other kingdoms. A Convocation, however, had usually sat the same time with the parliament, though they possessed not a negative voice in the passing of laws, and assumed no other temporal power than that of imposing taxes on the Clergy. By reason of ecclesiastical preferments, which he could bestow, the King's influence over the Church was more considerable than over the laity; so that the subsidies granted by the Convocation were commonly greater than those which were voted by Parliament: the Church, therefore, was not displeased to depart tacitly from the right of taxing herself, and allow the Commons to lay impositions on ecclesiastical revenues as on the rest of the kingdom. In recompence, two subsidies which the Convocation had formerly granted were remitted, and the parochial Clergy were allowed to vote at elections. Thus the *Church of England made a barter of power for profit*. Their Convocations having become unprofitable to the Crown have been much disused of late years."—*Hume*, Vol. VII. p. 401, 402.

The historian's observation, of the loss of power to the

left to conjecture; but the conviction felt must have been that of entire confidence in the civil power for continued protection, founded upon the assurance that the safety of the State, as then constituted, was involved in the security and integrity of the Church.

The distinct parliamentary existence of the Clergy cannot, however, be considered to have been legally dissolved by this measure; for the writ by which they are still summoned, and which issues at the calling of every Parliament, expresses that they are not called together only to contribute to the exigencies of the State, but to give their advice, within their province, to the general and executive authority, on the arduous affairs of the Church and Kingdom.

It may be curious to see described, in part of an ancient writ to the Archbishop, in the reign of Edward II., the design and form of calling the Clergy to Parliament *.

Church from this act, has been sadly verified, almost to its extinction, in all substance and visible appearance, "in tenuem ex oculis evanuit auram."

* "Et quia vos et cæteri Prelati, ac Clerus de regno nostro in tam arduis nos et statum Ecclesiæ Sacræ et coronæ nostræ tangentibus, non solum consiliis nobis tenemini assistere, sed etiam debetis extendere manus adjutrices, auxilia opportuna faciendo; vobis mandamus rogantes quatenus aliis prætermissis sitis in propriâ personâ vestrâ apud *Westmr.* in Crast. Ascens. Dom. prox. futur. coram fidelibus nostris ad hoc de-

The business of a Parliament is well expressed to be "novis injuriis emersis nova constituere remedia*," and their duty is described, in the writ of summons, to be to provide for the welfare of the Church and State. How then can this great public duty receive a worthy discharge, unless those who can alone be supposed to understand the constitution of that Church, and are chiefly interested in its due preservation and just maintenance, be convoked at the same time?

putandis, ad *tractand.* cum eisdem super competenti auxilio a Clero Prov. vestræ Cant. nobis impendendo ex causis prædictis pro utilitate Reipublicæ, et statu Ecclesiæ Sanctæ relevand. à servitute prædictâ, proüt in proximo Parliamento nostro apud *Westmr.* habito tam per Clerum quam per communitatem Regni nostri extitit concordatum, et proüt per prædictos fideles nostros ex parte nostrâ eritis requisiti. Et ad eundem diem *venire faciatis* coram dictis fidelibus nostris Suffraganeos vestros, Decanos, Priores Ecclesiarum Cathedralium, Archidiaconos, Abbates Ex. et non Ex. Prov. vestræ in propriis personis suis, capitula etiam singula dictarum Eccl. Cath. per singulares procuratores et Clerum cujuscunque Dioc. per duos procuratores sufficientes, ad *tractand.* et *consentiend.* unà vobiscum hiis quæ in præmissis ibidem contigerit ordinari. Et hoc sicut nos, et honorem nostrum et vestrum, et utilitatem Reipublicæ, et Relevationem Eccl. Sacræ ab hujusmodi servitute diligitis, modis omnibus faciatis." T. Rege apud Westmr. 27 Martii.—*Atterbury, Appendix.*

* Blackstone, vol. i. p. 148.

If that act, by which the Clergy resigned the power of subsidizing themselves, be considered to have had the effect of blotting them from the constitution, it becomes a question how far it was within the legal power of the members of that Convocation to commit an act attended with such consequences, which amounted to the relinquishment of the political existence of the Church, and binding upon all the future generations of their successors in it.

The reasoning of Junius, that "the power of King, Lords, and Commons (i. e. of Parliament) is not an arbitrary power. They are the trustees, not the owners of the estate. The fee simple is in *us*. They cannot alienate, they cannot waste, &c." is conclusive against the fatal consequences of such an act in the Convocation, so as to vitiate it from the beginning.

If, however, an acquiescence of a century and a half in that act be considered to have virtually confirmed it, the compact, under which that resignation of their essential rights, by the representatives of the Clergy, must be supposed to have been made, ought to be observed; that if the Clergy have thus deprived themselves of the power of maintaining their own political existence, the other estates of the Realm, to whom they have entrusted that

care, are bound to exercise it; and, if they refuse or withdraw their protection, they are under the strictest obligation of justice to restore the power of which the Clergy have been stripped; if not that of providing their own subsidies—a concession of more extensive parliamentary rights sufficient to secure their own existence, as one, and not the least important, estate of the realm.

Whenever the question has occupied the attention of the Legislature, of the right of Clergymen to be Members of the House of Commons, the objection made to it has uniformly been, that the Clergy have their seat in the House of Convocation, and there exercise their parliamentary rights. Blackstone has also expressed the same reason for the disqualification of Clergymen to be Members of the House of Commons, "who must not," he says, "be of the Clergy, for they sit in the House of Convocation *."

When this question, of the right which Clergymen had to sit in the House of Commons, was last under the attention of that assembly, in the case of Horne Tooke, the records of Parliament were diligently searched by a Committee of the House, for evidence on the point;

* Vol. I. p. 175. Ed. Oxford, 1773.

when the only disqualifying circumstance that appeared was, that the proper attendance of the Clergy in Parliament was given in the House of Convocation.

In the debate, which then took place, "on the eligibility of persons in holy orders to sit in the House of Commons," Mr. Fox considered that the only bar having been removed, by the extinction or cessation of the powers of Convocation, which he did not wish to see revived, the original right of the inferior Clergy to sit in Parliament should now be exercised amongst the representatives of the Commons.

His whole reason, perhaps, will appear stated in the following passage of his speech on that occasion:—"He knew not how the gentlemen on the other side were to get over the dilemma, that the Clergy, since 1664, were permitted to have a vote in the election of the representatives of the people, while they" (the gentlemen on the other side) "strenuously contended against their right of obtaining a seat in that House, where their representatives were assembled. If it was said that, after the right of the Clergy to tax themselves ceased, this right of voting was established by tacit compact, it might be asked why the right of sitting was not conceded on the same principle? The only principle stated on the records of Parlia-

ment for their exclusion from this latter privilege was, that they were members of the Convocation; but this having been abolished, *the exclusive operation of the principle was destroyed* *."

It was the opinion then of this great constitutional statesman, that the only objection ever alleged against the Clergy enjoying seats in the House of Commons having ceased to have any force, their original right of sitting in Parliament should be returned to them; not, indeed, with the full force in which it had been at first granted, when the Clergy met in a distinct assembly, but that they should have as free a right to meet in Parliament, and to join in the public counsels, as any other classes of the community, who all consider it necessary that their interests should be represented by their own members in Parliament, and be supported, not only by the individual votes of these members, but by the peculiar knowledge which they bring, contributing to throw a general light on the whole public interest.

On both these grounds, the voice of the Clergy should be permitted to be heard in Parliament, and to mingle in the general deliberations. Not only have they very large secular

* Parliamentary Debates.

interests to maintain, but no public measure ought to be permitted to be carried, which has not been considered, in reference to the probable effect it may have upon the religion of the community.

It is surely an error in the modern systems of political economy, which now have so large an influence on the management of public affairs, and an error, which cannot be charged to the original writers on this science, but fallen into by their followers, that the good of the community is fully and adequately consulted by an exclusive attention to the increase of the public wealth. As well might an individual take our books on domestic economy as his guides through all the duties of his life, and man be thus considered as an animal, without moral or religious capacities, sent into this world only to seek his daily bread.

The political systems that were received in the world before the present age of *light and knowledge*, all tended to raise the character of man, and thereby to increase the general virtue and happiness *. But since the partial sys-

* οὐ γὰρ, εἰ μὴ χρήματ' ἀπόλλυτε, μόνον σκεπτέον, ἀλλ' εἰ καὶ δόξαν χρηστὴν, περὶ ἧς μᾶλλον σπουδάζετε, ἢ περὶ χρημάτων, καὶ οὐ μόνον ὑμεῖς ἀλλὰ καὶ οἱ πρόγονοι.—Dem. πρὸς Λεπτίνην. p. 460, Reisk. ed.

τὸ μὲν τοίνυν τῆς πόλεως ἦθος, ὦ ἄνδρες Ἀθηναῖοι, καὶ

tems, admirable so far as they go, of Smith and Turgôt, have been taken as the whole of political science, the skill and ingenuity of its professors have been chiefly tried in constructing a political machine without the moving principle of religion; and the utmost success of their efforts will produce the same resemblance to a peaceful, happy, virtuous society, as that which the monster, drawn in the novel of Frankenstein, bears to the image of God "formed out of the dust of the ground by the Lord God, who breathed into its nostrils the breath of life, when man became a living soul." The fiction of the poet is a human form, constructed by the art of the anatomist, supposed to be animated by some magical skill, and impelled thus by human passions without restraint, destroys every thing in its way; a true image of the prince or state without religion, as described by Montesquieu—"celui qui n'a point du tout religion, est cet animal terrible qui ne sent sa liberté que lorsqu'il déchire et qu'il dévore *." Such is a political body without religion.

ἐπ' ἄλλων πολλῶν, καὶ ἐφ' οἷν εἶπον, ἴδοι τὶς ἂν τοιοῦτον ἀψευδές, καὶ χρηστὸν οὐ τὸ λυσιτελέστατον πρὸς ἀργύριον σκοποῦν, ἀλλά τι καὶ καλὸν πρᾶξαι.—Idem. 461.

* L'Esprit des Loix, Livre XXIV. c. 2.

That the profession of religion must be a *public* one, and its presence be confessed in every concourse of those who believe its truth, is an assertion made by our Lord: "where two or three are gathered together, there am I in the midst of them." Which principle requires some act of public worship, in every meeting of Christians that is not inconsistent with a religious character; and a national union, without a national religion, is an atheistical society. It is in vain to assert that the faith of individuals is independent of the unanimous resolution of the society. With those who have leisure, and means, and ability to search the original evidence of our religion, it will be so. But those who have not, must take the truth, or historical truth, of their religion, upon authority; and among the majority of mankind, if example be not the sole, it is the largest influence felt in religious matters. And if amongst individuals, the maintenance of religious principle be the object of *first* importance to virtue and happiness,—"this is the *first* and great commandment, thou shalt love the Lord thy God, with *all* thy heart, and with *all* thy soul, and with *all* thy mind;"—to which the *whole* man is to be *entirely* dedicated:—"the second is like unto it," but not without limitation;—"thou shalt love thy neighbour *as* thyself:" if

such be the relation of human duties in individuals, the same is undoubtedly true in every constituted society; that the general movements of the public will must be chiefly directed by a regard to, and in the spirit of religion.

THAT the Clergy formed an original part of the present constitution of Parliament, has been shewn; and that the most liberal statesman of these times has declared, that since the only reason against clergymen sitting in the House of Commons, has failed from the disuse of the parliamentary powers of Convocation, the clerical character should no longer operate as an exclusion from the assembly of the general representatives of the people.

But as a Bill has now passed, confirming the decisions generally against clergymen being members of the House of Commons, it would seem, by the same authority, that the Clergy are left, without interruption, to the exercise of their parliamentary rights in Convocation. As the law now stands, the Clergy, thus assembled, possess no power directly over the course of political events; but they would have very great political *influence*, if they were considered merely as *assessors* of Parliament, as expounders and guardians of the constituted

religion of the country, after the manner in which the Judges sit in the House of Lords, ready to be referred to as the interpreters of the existing law. The representations proceeding from the constitutional body of the Church, would be received with a respect and deference now rarely seen paid to the Clergy in the two existing branches of the legislature.

The Convocation is called at every new Parliament, and must continue to be so until some change is made in the essential principles of our constitution. As the king calls, he dissolves them with the rest of the Parliament; but this peculiar right remains to the Clergy from their ancient independence upon the civil power, of being prorogued by their Metropolitan. And in this state of prorogation they now remain, through the whole course of a Parliament: their existence, at present, being merely signified by a partial assembly at every new Parliament, when the choice of a Prolocutor is made who preaches a Latin sermon, and an address, perhaps composed to the King; after which, the Archbishop, or his commissioner, prorogues them, until they are dissolved with the Parliament.

Any exercise of these functions, therefore, must depend upon the will of the Archbishop, who receives and confirms the general expres-

sion of their sentiments, and presents it to the King, who, thus enlightened and supported, would be justified in the constitutional exercise of his veto, when the counsels of the laity appear too precipitate in their relation to the Church.

Supposing that the Clergy have this right of meeting, or in other words, that it is a customary part of our constitution, for the King to assemble the Clergy, under the Metropolitan of the whole kingdom, and without which act the general assembly of the states is incomplete; it becomes a question how far the public good, involved in a proper administration of the Church, is consulted by such a practice; that all the members of the Clergy composing the Lower House of Convocation, i. e. all Deans and Archdeacons, with one Proctor or representative from each Chapter, and two from every diocese, should be absent from their personal offices and cures during the whole session of Parliament.

While the Church reposed with confidence under a Government entirely and exclusively in communion with her, there might be no benefit resulting from such parliamentary attendance, to overbalance the inconveniences of it. But when the protection, which had been extended to the Church by the civil power since

the disuse of these assemblies, has been withdrawn, the Church must now stand up in its own defence.

That societies of whatever kind can be preserved only by general meetings, is a truth which universal experience and daily observation prove. We have only to look abroad at the general practice of mankind; and whether national governments, constitutional members of the state with peculiar functions, or private societies collected with whatever object, or of whatever extent, all retain the principle of their life, only while they continue to exercise their functions in a general assembly. The strength of the principle of association has just been shewn with tremendous force in the union of the Roman Catholics, who by the mere exercise of it within the bounds of law, were able to overpower the constitution.

Were the Clergy of the Established Church not recognized by the State as a general body, they would be criminal in their public duties of delivering unimpaired to their successors, those means which our ancestors provided for the preservation of true religion, if they did not now fly together at the frightful portents that surround us, and cover the ark of God with their defenceless bodies, or clothed with that

" armour on the right hand, and on the left *," which is from above.

The most timid of the creatures of nature, the unarmed sheep, that favourite image of our Lord in expressing the character of his disciples, seek refuge in a general union when danger seems to approach. And the very instinct of self-preservation should now unite the Clergy into one general body for their own protection. But they are not left by our wisely-provident constitution to be impelled together fortuitously by imminent necessity; their Convocation is provided for by our most ancient and venerable laws. And our whole code must be torn to pieces before the Church, in all its branches, can cease to be a constituent part of the realm.

To see the public resolutions (they cannot be called laws) which are enacted directly affecting the Church, a forgetfulness seems to have taken place of our most ancient and fundamental laws; or that they are laid aside as rusty armour, or ancient weapons curious in their shape, but no longer useful since the im-

* διὰ τῶν ὅπλων τῆς δικαιοσύνης τῶν δεξιῶν καὶ ἀριστερῶν. *2 Cor.* vi. 7. The Christian is to be provided not only with armour for defence in the shield worn on the left arm, but with weapons in the right hand for resistance.

provements of modern warfare; our legislators, engaged in the study and display of eloquence, and the memories of our lawyers filled with the regulations of the minute details of modern society, have left these laws to the study of the antiquary.

> " Agricola, incurvo terram molitus aratro,
> Exesa inveniet scabrâ rubigine pila,
> Aut gravibus rastris galeas pulsabit inanes,
> Grandiaque effossis mirabitur ossa sepulcris."
>
> *Georg.* I. 494.

The posterity of these gigantic founders of our constitution, building their sheds of temporary convenience amidst the deep and sublime foundations of former times, behold the ruins of that constitution with as much indifference, with as much ignorance of its beauty, of the principles of its construction, and of the wisdom of its design, as the Arab, who, insensible of the grandeur and beauty which surround him, pitches his tent and pastures his flock within the walls of Palmyra.

If the character bestowed on our Church had been understood, would the legislature have displaced those tests by which the virtue and good of society were consulted, and its religious form preserved, for a declaration to be made by those to whom political power is entrusted,

that they will not use it to the injury of the Church? A confession that the Church must continue to owe its existence to the forbearance of its enemies. The condition which has made it patient under insult, nay, thankful for so gracious a promise, has been brought about by the neglect of the constitutional assemblies of the Church; by that barter of power which our improvident predecessors made, as Hume observes, for profit.

The Clergy now never assemble *exclusively* on any occasion, except at their visitations. These are now all that connect the Clergy together, and though the spirit which animated them has fled *, the benefits which are still derived from them, shew the advantage to be expected from more general and solemn assemblies. Visitation, as yet practised, binds us together; it is feared by the careless, and felt by the indolent of our profession; is noticed

* The synodals and procurations paid at the visitations of the Archdeacon are the remnants left of our former station in the country; when the practice was not uncommon of the Archdeacon, as well as attending personally himself, representing the diocesan clergy in the parliamentary meeting of the whole country, or national assembly of the State: at which period the laical and clerical representatives were justly paid for the time and attention which they bestowed on the interests of others.

with a jealous eye by Dissenters, and is respected by the people at large; it promotes the due performance of Church service by the support it gives the parochial officer; and it makes public many valuable Charges. These benefits, slight and limited as they are, and springing from a transient meeting, may be adequate to the security of the Church in a time of peace and confidence. But when the civil existence of the Clergy is left to be maintained by their own energies, they must exercise these in an assembly of more permanent, united, and authoritative character.

When the Church wishes now to utter a general expression of its sentiments, or what is usually considered so, that is done at a meeting of the Society for Promoting Christian Knowledge, which seems to have been for the last century the only organ through which her voice has been heard. However valuable this society, and beneficial its labours may have been in the great object to which they are directed, its original design seems rather to have been to extend the bounds of the Gospel, not to regulate and preserve our peculiar institution.

Such a society, therefore, with objects so indefinite, without authority, consisting of members slightly attached together, must be allowed

to be, for the interests of religion and the Church, a very inadequate substitute for a compact body constitutionally representing the whole Clergy, with some claim at least to have its general sentiments favourably considered by Parliament, if not allowed to influence the proceedings of it; which possesses authority to revise the canons of the Church, those canons which establish ecclesiastical discipline; and to vary the articles of religion according to existing circumstances; the authority, i. e. of deliberating (all that was anciently possessed by the House of Commons) on these subjects, and of presenting their acts or general resolutions to be ratified by the Crown.

When it is observed that a power exists, and which might be exercised, of altering the articles of our Church; that observation is not inconsistent with the most complete conviction of their unalterable truth. No articles of belief are considered as declaratory of the *whole truth* of the Gospel: mankind has not yet arrived at that stature of the fulness of Christ which can alone give a comprehensive view of the whole of revealed truth.

The ancient creeds, from the Apostolic to the Nicene, and afterwards to what is called the Athanasian, were enlarged and varied, with the increase of heresies. Each of these creeds

is strictly true, but they are all intended not as comprehensive, but exclusive, to *shut out* doctrines which have appeared inconsistent with, and contradictory to, the Catholic truth of Christianity. Such a power should exist in every national Church; no human institutions are fixed. In the age of the Apostles, *they* formed the first council, and in this character resisted the first heresy which appeared, the attempt to impose on the Gentile converts all the Mosaic rites as essential terms of salvation.

The object of our reformers was to *define* the boundaries of the Church; the business *they* had in hand was to purify it; our attention should be turned to the possibility, in the present state of the world, of a more comprehensive communion. The speculative opinions of the schools, chiefly occasioned the differences as to religious doctrine, and since mankind seems universally to have agreed to an amnesty on these points, or to bury them in the unfathomable abyss of human ignorance, or to consider them as errors the consequence of the misdirection of human reason, advantage should be taken of this feeling and conviction, to promote a more Catholic spirit amongst the disciples of Christ: since differences of opinion kept alive, perpetuate partial views of religion.

It is not an adequate or just representation

of our Church, that it is established by law; which gives opportunity to the Romanists of saying that it is founded on Acts of Parliament; and furnishes an argument to their advocates, of which the weakness is at once a proof of the ignorance that can use and allow it, that our ancestors from whom we inherit our constitution, are essentially connected in faith with those who still adhere to the Roman Catholic communion. The alteration that was made at the Reformation was rather in the State than in the Church; or in the relation of the latter to the civil Government. Our Church, as at present constituted, was practised in all its extent ages before a statute existed: our *Reformation* * was established by law; but the Church, in all its branches, rests for its support on the Common Law; and the charter of our existence as a people must be dissolved, when that Church ceases to form an essential part of our constitution.

* i. e. Was conducted by the spiritualty, and received the authority of, or was accepted by, the temporal power; and thus was established by law, which is the expression of the general will of the community. The Articles of our Church which exhibit its present form and doctrine, were exclusively the work of the Clergy in their Convocation; "Articuli de quibus covenit inter archiepiscopos et episcopos utriusque provinciæ et clerum universum in synodo."

The debateable ground on which conscientious Protestants, and members of the Roman Church should meet, is the historical period of the rise of the power of the Pope. I will stop for an instant to explain the sense in which I use the word Protestant. It is here correctly applied, as a term which may include all those Churches which have *protested* against the claim made by the Pope to a dominion over the universal church of Christ. But it is a word which is very far from expressing the whole character of the Church established in these kingdoms; and when thus applied leads to much deception, as assimilating, in popular opinion, our Church to those reformed Churches in Germany and France, which acknowledge Luther and Calvin for their founders. To neither of which distinguished reformers are we indebted for any part of the doctrine and discipline which constitute our Church.

The Reformation in this country was wholly independent of that which took place in the countries of the Continent, and proceeded by steps totally different. The moderation of Cranmer advanced firmly, but with caution: the authority of the Pope had been thrown off by the civil power. The submission paid by the Clergy to the Bishop of Rome, appeared clearly inconsistent with their duties as sub-

jects; the reasons stated by the Sovereign for reclaiming the obedience of his spiritual subjects, are full to the point, and the argument has lost none of its force. "The next day he" (the King, Henry VIII.) "sent for the Speaker and twelve of the House of Commons to come to him, eight of the Lords being with him. He spoke to this effect. 'We thought that the Clergy of our realm had been our subjects *wholly*, but now we have well perceived that they be but *half our subjects*, yea, scarce our *subjects*. For all the Prelates at their consecration make an oath to the *Pope*, clean contrary to the oath that they make to us; so that they are *his subjects*, and not *ours*. The copy of both the oaths I deliver here to you, requiring you to invent some other, that we be not thus deluded of our spiritual subjects *.'"

When the yoke of the Bishop of Rome had been thus cast off by the proper authority, the attention of our reformers, guided by Scripture, and the practice of the first ages, was limited to effacing merely the traces of its imposition. The nice discernment of Cranmer, and his truly Catholic spirit, are evident in every step he took. In other countries, the Church was torn to pieces by violence; and the reformers set

* Wake, p. 477.

themselves to rebuild from the foundation, after a pattern of their own; observing as their only rule, not to leave a vestige of the ancient Church, however consecrated by the practice of the primitive times. It was sufficient that they saw what were the custom and habits, the practice and doctrine of the ancient Church; and they went in a directly contrary direction; though no one, the least read in the ancient history of the Christian Church, can fail to discern that Catholic form which has been preserved in its purity only in the *reformed Catholic Church in England.*

It is neither with affectation, nor without meaning, that I use this title, as more accurately expressive than any other, of the Church established in these kingdoms. "The Protestant Church of England," describes one form only of our Church, that of its protestation against the Bishop of Rome, and would have expressed sufficiently the state of religion in this country at the end of the reign of Henry the VIIIth, when Cranmer had proceeded no further than obtaining a reluctant permission that the people should have the Scriptures in their own language. *The Reformation* took place in the succeeding reign, when Cranmer was restrained only by his own discretion. "The Church of England" alone seems also

objectionable as a Catholic title: the Church of Rome *assumes* that title, and would embrace the whole Christian world in it; and it seems appropriate only to such pretensions; that wherever its principles were extended, this peculiar designation should go with them, and secure its own authority, which would be an obstacle to that Catholic union, which should be the object and tendency of every Church.

If this style had been anciently adopted, of "the Church of Jerusalem," "the Church of Antioch," "the Church of Alexandria;" whatever converts proceeded from those Churches, would have extended the name; and the enlargement of these Churches would only have multiplied the occasions of collision, and effectually checked the Catholic principle.

The style uniformly observed by St. Paul, prevents such an error, and its uniformity bestows an importance upon it. "To all that be *in* Rome, called to be saints," &c. "To the Church *of* God which is at Corinth." "To the Churches of Galatia." There it is correct, as we might say,—the Churches of England; i. e. of every diocese: and the meaning is, to all the Churches that are *in* Galatia. "To the saints which are *at* Ephesus." "To all the saints in Christ Jesus which are *at* Philippi." "To all the saints and faithful brethren which are *at*

Colosse." "To the Church of the Thessalonians," i. e. to the Church composed of Thessalonians, "which is in God the Father, and the Lord Jesus Christ." The solemn terms in which each Church is addressed, bestow unusual importance on the uniformity of style observed; and seem to establish a principle which would require a title more accurately descriptive of the true character of our own Church than that usually adopted.

If this title, which is now expressed, either appear less objectionable to any one, or hold forth any inducement to examine the real nature of our Church, and the principles of its reformation, it cannot be considered a matter of trifling importance, which shall lead persons to join our communion, which shall break down distinctions among Christians, and thus give freedom to the Catholic principle.

If the present times appear suitable to, and the temper of our Church disposed to entertain, the consideration of a more comprehensive union, it is a proof of the advanced state of the progress of Christianity, of its accelerated tendency to that consummation of the Christian Church upon earth, described with prophetic truth by the Apostle * :—"till we all

* Eph. iv. 13.

come in the unity of the faith, and of the knowledge of the Son of God, unto a perfect man, unto the measure of the stature of the fullness of Christ; that we henceforth be no more children, tossed to and fro, and carried about with every wind of doctrine, by the sleight of men, and cunning craftiness, whereby they lie in wait to deceive: but speaking the truth in love, may grow up into him in all things, which is the head, even Christ."

The literary history of the last age will exhibit to all who are acquainted with it an exact *partial* developement of this truth, in the destruction of the metaphysical systems, which had deluded the world, and corrupted the sincerity of the Gospel. If we are confessed to be thus "no more children tossed to and fro, carried about with every wind of doctrine by the sleight of men, and cunning craftiness, whereby they lie in wait to deceive;" we should attend carefully to the final establishment of the prophecy, ἀληθεύοντες δὲ ἐν ἀγάπῃ αὐξήσωμεν εἰς αὐτὸν τὰ πάντα, not "*speaking* the truth," according to our version, but rather, as it is in the margin,—"sincere,"—being in the truth, or true,—having our affections purified, we shall thus grow in truth and love to our full stature. The general effort made by our Church towards this end, can take place only in its general synod, which is the

sole competent authority to raise, in any degree, without departing from our principles, those barriers which now, perhaps, exclude many, who no longer withheld by motives of worldly estimation, await from it only a satisfaction of certain scruples, to join our communion; and thus strengthen the bond of union between all true Christians.

The only point on which a division can exist between members of the Established Church, and enlightened conscientious Roman Catholics, besides that already mentioned, of the Supremacy, is the Corporal Presence; on these, scruples may be justly entertained by sincere and Catholic Christians. With respect to the former, they are only the *human* institutions of the Church, of which the King is the head; and on the latter, too precise a declaration either way, is to be guarded against.

If these points were considered with due attention, in a sound judgment, and with Christian charity, ἀληθεύοντες ἐν ἀγάπῃ, it might have the effect of reconciling many members of the Church of Rome to the Catholic forms and doctrines of the Church of England.

The authority claimed by the Bishop of Rome, as the Pope or universal Father of the Christian Church, can receive no sanction or obedience from an enlightened layman, who

will take the trouble of enquiring into the history of the Primitive Church, and of considering the passages of Scripture which seem to anticipate the existence of, and to guard against so exorbitant a power. The Papal dominion could only be acknowledged in a dark age, in which the laity paid a blind submission to their Clergy. The history of the struggle between the Popes and the Emperors, will shew the steps by which the power of the former was acquired: their innovation was of two kinds, upon the civil authority, and upon the rights of each Bishop. The usurpation of the first kind, therefore, was vindicated in this country by the civil power, when the latter consequently (i. e. the rights usurped from the Bishops) were recovered by the proper and ancient ordinaries.

The supremacy which was asserted of the King, therefore, was no usurpation upon the ecclesiastical authority; but the recovery of those rights which in ages of darkness were pillaged from the civil power by the Pope, who affected, and was occasionally allowed, the exercise of, uncontroulable authority over both Kings and Bishops. But not only were earthly authorities invaded by him, the station which he assumed seems to be that which is described to be occupied by our Lord and Saviour, (2 *Thess.* ii. 4.); and the titles those which

peculiarly belong to Him who is alone Head of the Body, the Church, (*Col.* i. 18.); and supreme Bishop of the Christian world, (1 *Pet.* ii. 25.) *

If the doctrine of the supremacy were thoroughly examined, and moderately stated, as it is explained in our Articles, and was understood at the last period of our reformation, one obstacle might be removed which now opposes the communion with us of many conscientious members of the Roman Church. The supremacy taken from the Pope was not all given to the Crown; the Church in these kingdoms at the Reformation recovered the independence which all Churches originally possessed, and yielded to the civil power that obedience which the Scriptures directed, and which was paid to the first Christian emperors.

* In the fine description (in the Epistle to the Colossians) just referred to, of the character and offices of our Lord, appears a phrase so accurately expressive of his peculiar dignity, that a few words may be excused in explanation of it. "The first-born of every creature," in our translation, (i. 15.) very imperfectly marks the truth and distinctness of the original πρωτότοκος πάσης κτίσεως, "who was born before all *creation*." The eternal generation of the Son of God is asserted, and the distinction accurately made between *his* nature, and that of every *created* being and thing. "Begotten of his Father, before all worlds," in the Nicene creed, seems intended as a translation of this passage.

The character and authority with which the King becomes invested by the acknowledgment of his supremacy seem to differ only in *extent*, as regarding the *universal* Church of England, from those possessed by church-wardens over single churches, of regulating the congregation, and preserving order in the assembly. The King is an *ecclesiastical* officer of no higher order in the Church than a church-warden; he is the guardian of the whole Church, or of its temporalities, as that officer is of a single one, and their duties are of a similar character. The right exercised of appointing to bishoprics too, is no other than that enjoyed by lay patrons of advowsons.

The corporal presence, however those words are to be understood, was permitted to be acknowledged by members of our communion in the reign of Elizabeth. And in the Council of Trent the doctrine of the Sacrament of the Lord's Supper was declared to be *ineffable*; and the word *transubstantiation, because* it had been so long applied to it, worthy to be retained, though in itself *inexplicable*. That *word* might be so defined as to express the sense conveyed in our Catechism, if the prejudices of any are interested in retaining the word; though, as one which originated out of the absurd logic of the scholastic ages, it had better be

swept away with the rubbish of the schools: as the metaphysical jargon which is the immediate foundation of the word is now universally allowed to be false. The *word* itself is innocent; they are the whole *consequences* of the doctrine so expressed, against which Protestants so strongly contend. And the terms in which it is proposed, by calling upon the assent of human reason, remove all the mystery of a sacrament, and thus its sanctifying influence. There is no such declaration from any authority in our Church as excludes from its communion those who interpret the word transubstantiation in the sense allowed to it in the Council of Trent, and give it not all its scholastic force.

They are the superstitions which have sprung from the use of the word, to which Protestants offer the most formidable and decided opposition, and with which they can make no compromise. We protest against the sacred elements being "reserved, carried about, and worshipped;" which practices shock the mind with their near approach at least to idolatry; while the Clergy of that communion are little careful to guard their flock against so dangerous an error, though they have defined in the most express terms the mode of Christ's presence in the holy Sacrament. It is this de-

finite interpretation which removes the veil from the mysterious character of the communion of the Lord's Supper, thus "overthrowing the nature of a Sacrament;" and which seems to "change the truth of God into a lie, worshipping the creature more than the Creator." If these consequences be denied, and guarded against, the mode of administering and interpreting this Sacrament established in our own Church, will be found consistent with the highest veneration for a peculiar truth in the words pronounced by our Lord, "I am with you always, even unto the end of the world."

Our Reformation is considered to have arrived at its consummation in the reign of Elizabeth. Our Articles then received their final review, and our Liturgy has since undergone no essential alteration. As, when disputes arose in the reign of James the First between Arminians and Calvinists, the Articles of our Church were considered to comprehend both parties, (which principle is still assented to) so in the preceding reign, when the authority of the Pope was as strictly excluded as it is at present, an enlarged interpretation was permitted to the members of our Church on both the above-mentioned Articles, of the supremacy and the corporal presence. For a reluctance

to acknowledge the supremacy of the Church in any civil authority is by no means indicative of a submission to that of the Bishop of Rome. The Presbyterians of Scotland had as much difficulty in allowing an ecclesiastical supremacy to the King, as those who are called Roman Catholics (the Holy Kirk acknowledging no superior but Jesus Christ) and other sects have the same feeling.

The wise temper of Elizabeth led her to promote union among her subjects as the best mode of maintaining the Church in its integrity and strength. "The Queen desired that all the changes that should be made might be so managed as to breed as little divisions among her people as possible: she did not like the title of *Supreme Head*, as importing too great an authority. And that the Popish party might be offended as little as possible, she intended to have the manner of Christ's presence in the Sacrament defined in general terms that might comprehend all sides *."

"The Book of Common Prayer was now revised; the most considerable alteration was, that the express declaration which was made in the second Book set out by King Edward against the corporal presence was left out, that

* Burnet's Hist. of the Ref. Abridgment, p. 534.

so none might be driven out of the communion of the Church upon that account. The matter was left undetermined, as a speculative point in which people were left at liberty *."

" The liberty given to explain in what sense the oath of supremacy was taken gave a great evidence of the moderation of the Queen's government, that she would not lay snares for her people, which is always a sign of a wicked and tyrannical prince. But the Queen reckoned that *if such comprehensive methods could be found out as would once bring her people under an union, though perhaps there might remain a great diversity of opinion, that would wear off with the present age, and in the next generation all would be of one mind.* And this had the good effect that was expected from it, till the Pope and the King of Spain began to open seminaries beyond sea for a mission to England, which have, since that time, been the occasion of almost all the distractions this nation has laboured under †." I have added the latter words, detached from the expression of the noble sentiments conceived by Elizabeth, that it may be seen what causes did then, and have since, obstructed the Catholic design of that glorious Queen.

* Burnet's Hist. of the Ref. Abridgment, p. 545.

† Ibid. p. 550.

Another subject, mentioned by Burnet, is well worthy of the attention of the present times, for consolidating the Church. The attempt was undertaken many times in the course of the Reformation, but never carried into effect. "Another Bill, that came to nothing, was for empowering thirty-two persons to revise the Ecclesiastical Laws; but as this last was then let fall, so, to the great prejudice of this Church, it has slept ever since *." The state of our ecclesiastical discipline has been confessed to be one of great confusion, and very inefficient. The Reformation of our Church, as Burnet observes above, is incomplete on this point alone, which would be a subject most properly taken up by the Convocation, the only authority indeed competent to entertain it.

If a National Church is to be maintained, about which doubts can be held only by the infidel and enthusiast; the only means left are by the Clergy assuming that power, which it has been shewn belongs to them by the constitution, in their corporate capacity; in which by having long ceased to appear, they have lost their general influence. While that philosophy, which is the declared and active

* Burnet's Hist. of the Ref. Abridgement, p. 547.

2

AN

ADDRESS TO THE CLERGY,

ON THE

IMPORTANCE OF THE OATH

REQUIRED OF

Church-Wardens.

BY A

PRESBYTER OF THE CHURCH OF ENGLAND.

Thou shalt perform to the Lord thine oaths.—*Matt.* v. 3.

Why hast thou not kept the oath of the Lord, and the commandment that I charged thee with?—1 *Kings* ii. 43.

Wherefore the fear and dread of them fell upon all the people, who said, there is neither truth nor righteousness in them, for they have broken the oath and covenant that they made.—1 *Macc.* vii. 18.

LONDON:

PRINTED FOR C. J. G. & F. RIVINGTON,

ST. PAUL'S CHURCH-YARD,

AND WATERLOO-PLACE, PALL-MALL.

MDCCCXXIX.

LONDON:
PRINTED BY R. GILBERT,
ST. JOHN'S SQUARE.

ADVERTISEMENT.

So much discussion having lately occurred in our Houses of Parliament, and also in the tracts of many able writers—particularly those of Mr. Faber and an anonymous writer in the Monthly Magazine, on the violation of State Oaths—which were, certainly, most cautiously worded, and with the intent to bind fast the consciences of the higher class of society, who are intrusted with the most important affairs of the nation, both as to the Church and Constitution; an humble individual, (the Rector of an obscure parish,) takes this opportunity of offering a small tract to the consideration of his brethren the Parochial Clergy—and through their means to the Churchwardens of their several parishes, on the solemn oath administered, to the latter, which he fears is too commonly violated by those who undertake the responsible office; and may be still less

regarded by them, when so many of their superiors in higher station set them an example, not only of breaking their oaths, but defending the breach of them, by wresting the most emphatical expressions with which they are guarded, to meanings which were never contemplated by their considerate framers.

Oaths are made to God, and no plea of expediency can possibly absolve us from the observance of them in their plain and most obvious meaning—God, indeed, can bring good out of evil; but we are expressly commanded, not to do evil that good may come. If an oath may be broken under every specious pretext of effecting good or avoiding evil, then is the great bond of human society dissolved.—"If a man vow a vow unto the Lord, and swear an oath to bind his soul with a bond, he shall not break or prophane his word," (says the sacred law of Moses,) "he shall do according to all that proceedeth out of his mouth[a]."

[a] Num. xxx. 2.

AN

ADDRESS TO THE CLERGY,

&c.

CONSIDERING the importance of the office to which the clergy are called, and also the solemn exhortation (delivered by our respective diocesans at our ordinations,) which admonishes us "always to have it printed on our remembrance, how great a treasure is committed to our charge (no less than, the flocks, "over the which the Holy Ghost hath made us overseers);" I cannot but think it our bounden duty[a], lest any member of the Church do take any hurt or hindrance by reason of our negligence; more especially to warn those of our flocks, who shall have been chosen out of the[b], discreet persons of the parish, to perform the office of church-wardens, carefully to consider those important duties, which their office calls upon them to execute; an office bounden upon them by a solemn oath: but which I am justified in saying, is too commonly violated, notwith-

[a] Ordination of Priests. [b] Canon 90.

standing all the precautions which are used by our Church governors for securing the performance of it, by reciting the Canons, and other wholesome regulations for their instruction.

No provision, more adequate, one should have supposed, could have been suggested, or one more likely to answer the object of their appointment, namely:—

"To take care for the suppression of sin and wickedness, in their several parishes, as much as in them lieth, by admonition, reprehension, and denunciation to their ordinaries [c]."

Yet, notwithstanding this, they do (as the same canon intimates,) "forbear to discharge their duties therein, either through fear of their superiors," (I might add, and of their inferiors also,) "or through negligence more than is fit."

Having, therefore, long revolved these considerations in my mind, I cannot but think how necessarily I myself, as a minister of a parish, am, in a measure implicated in the evil, which may arise from the Churchwarden's neglect of their office; seeing that it is directed[d], that no minister shall, in anywise, admit to the receiving of the holy Communion, any Churchwardens, who, having taken their oaths to present to their ordinaries, all such public offences as they are particularly charged to inquire of in their several parishes, shall, (notwithstanding their said oaths,) and that their faithful discharging of them is

[c] Canon 113. [d] Canon 26.

the chief means whereby public sins and offences may be reformed and punished; wittingly and willingly, desperately and irreligiously, incur the horrible crime of perjury, either in neglecting or refusing to present such of the said enormities and public offences as they know themselves to be committed in their said parishes, or are notoriously offensive to the congregation there, although they be urged, by some of their neighbours, or by their minister, or by their ordinary himself, to discharge their consciences by presenting of them, and not to incur so desperately the said horrible sin of perjury.

Considering, therefore, more especially, my *own* responsibility, and how much *I* myself am implicated in the evil, and also what danger the Churchwardens run into, if they do not perform their oaths, it has been my uniform practice, in the course of my public ministration, and moreover by private admonition, to urge them to do their duty, which they have sworn to discharge; but I am sorry to say, all my attempts have been ineffectual.

I trust, then, it will not be thought arrogant, as a spiritual pastor, to attempt the eradication of an evil, almost, I may say, established in our several parishes; for though I am conscious of my inability to perform so difficult a task, I will venture, at least, to set the work on foot, in the hope that a more able hand may give it motion, contenting myself with the thought that I may do some little good, and (however insufficient or frivolous it may seem to others,) discharge

my conscience, (according to the injunction of the great Apostle St. Paul, to Timothy,) and " be instant in season; out of season, reprove, rebuke, exhort with all long suffering."

What persons, then, need reproving and rebuking and exhorting more, than they who, by the grossest breach of the commandment, presume to take the name of the Lord our God in vain? What can call more loudly for reform in our several parishes than this dreadfully evil habit, which every one condemns, even the very persons themselves who voluntarily and rashly take upon themselves the office in question, solemnly swearing that they *will* execute it *faithfully;* yet declaring *positively* [e], (when questioned about the execution of it,) that they *cannot* perform it *faithfully;* nay more, refusing to perform it when the manner of doing it is pointed out to them, and they are, (according to the Canon,) " urged to it," pleading in excuse, the danger they should be in if they did their duty.

This fear of danger, I believe to be a principal cause of their neglectful conduct, together with the expence which necessarily attends the prosecution of it: but should these motives operate upon any one who is under so solemn an engagement, upon one who appeals to Almighty God for the truth of what he says, at the same time disregarding His word; who expressly declares by His prophets, and by His own lips, " Ye shall not swear by the name of the

[e] Churchwarden's oath.

Lord falsely or deceitfully, thou shalt perform unto the Lord thine oaths, for the Lord is a witness, if we do not, according to the words we have spoken [f] ?"

We see then what was required from those who took oaths under the Old, as well as under the New Covenant: they were " to perform them unto the Lord[g]." " For every one," says the prophet, " that sweareth, (vainly or falsely) shall be cut off;" that is, from the communion of the Church: and accordingly[h] " no minister shall in any wise admit to the receiving the Communion, any Churchwardens or Sidesmen who having taken their oaths to present to their ordinaries all such public offences as they are particularly charged to enquire of in their several parishes, shall, notwithstanding their oaths, willingly and wittingly, desperately and irreligiously, incur the horrible sin of perjury, either in neglecting or refusing to present such of the said *enormities* as they know themselves to be committed in their said parishes, or are notoriously offensive to the congregation there, although they be urged, by some of their neighbours, or by their minister, or by the ordinary himself, to discharge their consciences by presenting of them, and not to incur so desperately the said horrible sin of perjury."

Can any thing be more emphatically expressed than the danger a Churchwarden incurs by neglecting the important duties of his office? And it is quite astonishing to me how such a solemn warning should have

[f] Levit. xix. 12. Psal. xxiv. 4. Matt. v. 33. Judges xi. 10.
[g] Zach. v. 3. [h] Canon 26.

ceased to have been "urged," or that it should have fallen into neglect!

There seems nothing equivocal in the expressions made use of in the canon, and I think there can be no doubt of the intention of the Church, in her original healthful constitution, to enforce the observance of it.

It cannot surely, (as many of the canons may) have a local or temporary interpretation, suited only to the times when they were framed; but, surely, the oath must be considered literally, as a law of moral obligation, from which "one jot, or one tittle shall in no wise pass till all be fulfilled."

What then can be done to clear away the obstacles which prevent the execution of this and many other of the excellent laws of our Church, which would do honour to her if they were put in execution? but not being so, are pointed at in derision by her enemies, as armour too weighty for her feeble power to manage; and being thus relinquished, they become a stumbling-block in the path of those whom we are "to lead in the way of righteousness." Let us then in this degeneracy of discipline, at length rouse ourselves; let us "put on the whole armour of God;" let us be "strong and of good courage," and remember that command of God to his prophet[1], "Thou son of man shew thyself to the house of Israel, that they may be ashamed of their iniquity, and let them measure the pattern. And if they be ashamed of all they have done, shew them the forms thereof, and

[1] Ezek. xliii. 10, 11, 12.

write it in their sight, that they may keep the whole form thereof and all the ordinances thereof, and do them. This is the law of the house; behold this is the law of the house." This, we say, is the canon of our Church—behold this is the canon of our Church. Let it then be either established or abolished; for it *is* expedient or it is *not* expedient; if it be expedient, let there be no obstacle in the way that may prevent its being enforced; if it be *not* (through the alteration of times or other circumstances) let the temptation be removed, for otherwise it must needs prove a "stone of stumbling and a rock of offence."

The natural question arising out of this is, For what purpose are the Churchwardens appointed? The name of the office answers the question; their office is to *ward*, to guard, to defend and protect the Church from the assaults of her enemies; to be watchful that her sacred edifices, as well as the spiritual concerns thereof be kept in "decency and in order." It is an office of such important consequence, that when the chosen Churchwardens are called upon to execute it, they are bound to the fulfilment of it by no less a bond than an oath; they are not bound to the office by a promise only, by their word of honour, or by the injunction of a magistrate; (which would be sufficient to ensure the observance of a common law, with an honest or an honourable man, even in a moral point of view, upon a supposition that he had no Christian principles to guide him;) but this trust which Churchwardens undertake is moreover sealed with an oath; an holy instrument

we might presume, powerful enough even to secure a bad man, if not become so abandoned as to have lost all fear of God. For when a man is thus far gone in wickedness, and as St. Paul says, "given over to a reprobate mind," to the temptation of the devil; not having the fear of God before his eyes; no wonder then that he should have no reverence for an oath.

For by taking an oath or swearing, we solemnly call upon that God, the Maker of heaven and earth, (in whose awful presence we stand, and the tremendous guilt of taking whose hallowed name in vain we *have* been taught or *ought* to have been taught from our infancy) to witness the truth of what we say; we solemnly call, I say, on that God "unto whom all hearts are open, and from whom no secrets are hid," to witness the truth of what we say, which is the best assurance that we can give to one another that we really think and purpose in our hearts, what we utter with our lips. Would those who administer an oath, as well as those who are called upon to take one, seriously consider this, and that the violation of an oath is no less than the horrible sin of Perjury, a crime so dreadful in the estimation of a religious man, and so branded by the laws of every country, that it is accounted infamous to have committed it, I cannot but think it must necessarily lead to some amendment.

The judgment of God has denounced the perjured man unworthy the society of the faithful, for says he, by his prophet, "Every one that sweareth (vainly

or falsely) shall be cut off; for because of swearing the land mourneth." But he again says for our encouragement[k], "He that sweareth unto the Lord in truth and righteousness shall glory, or be commended; but the mouth of him that speaketh lies shall be stopped[l]." And "he that sweareth to his own hurt (whatever inconvenience or trouble may be the consequence of his oath) "and changeth not," that is, stands firm and determined to perform his oath, this man is to be reckoned, as the Psalmist speaks, among "those who shall abide in the Tabernacle of God, and dwell in his holy hill[m]," being quite secure in the confidence that he is under God's protection. With this confidence, established upon right principles, a Churchwarden may safely take that oath which is administered to him when he enters upon his responsible office.

But lest he should not be thoroughly aware of the obligations which so sacred a tie imposes upon him, nor of the particular meaning of that office which he is about to take, he could not do better than to read the oath that is administered to him repeatedly over; together with the articles, and canons, and articles of enquiry, which are delivered to him at the visitation, in order that he may not fail in his duty in any point.

The following is a copy of the oath which he binds himself by.

"You shall swear truly and faithfully to execute the office of Churchwarden within your parish; and

[k] Zec. v. 3. Jer. xxiii. 10. [l] Zech. viii. 8.

[m] Psalm lxiii. 11. and xv. 4.

according to the best of your skill and knowledge, present such things and persons as to your knowledge are presentable by the laws ecclesiastical of this realm. So help you God, and the contents of this book."

This oath is administered to the Churchwarden with the Bible in his hand (presuming that he believes in the contents of it), and he is required to kiss this sacred book, as a sign and acknowledgment of his assent to the truths contained in it, and that he loves and fears that God who is the author of it, and who will assist him also in the performance of his oath if he asks his blessing.

The oath, therefore, is concluded with this solemn impression by the person who administers the oath—"So help you God, and the contents of this book."

The reason the Churchwarden is bound in so solemn a manner to this office, is for the security of the Church, that her external and internal welfare may have faithful guardians, who will represent her wrongs and grievances to those higher powers who have the rule over her.

But Churchwardens have also another office to perform besides that which immediately attaches to the Church—I mean the office of Overseer of the poor, which they are in a more especial manner called upon to execute, than the parish officer who is particularly called by that name—the one being sworn to do the duty of his office, the other being not so. They become then not only the wardens of the *temporal* concerns of the poor, but in some measure the *eternal*

ones also. They are charged not only to provide them with the bread of *this* life (the necessaries and conveniences of it) but to take care also that the *poor* have the *Gospel* preached to them, that they may not be in want of that "bread which cometh down from heaven, and giveth life unto the world."

This office too particularly calls upon them, by the several canons recited in the articles of enquiry, under the fourth title, to present any in their parish, who live under common fame or suspicion of incest, adultery, or fornication. Whether there are in their parish any common drunkards, or swearers, or blasphemers of God's name? Whether there be any who upon Sundays follow their ordinary business or labour; whether any shops are kept open or wares sold, or whether any innkeepers, vintners, victuallers, or sellers of beer or ale suffer any persons to waste their time, or tipple in their houses: or whether there be any who neglect the public worship of God on the Lord's day; or other days, on which the public worship is performed; or whether there are any who behave irreverently at Church, or loiter there, or are noisy in the Church-yard, &c. during Divine Service.—These enquiries are a necessary part of the duty of a Churchwarden. And our laws (recited in their instructions) have expressed them so plainly that he that runs may read, and no one can doubt of their being necessary, if he reflects upon the evils that necessarily result from the neglect of such enquiries. They are enjoined, therefore, by an oath, which they swear they will faithfully perform. In

short, a Churchwarden stands pledged by this most solemn engagement, to take care that the minister of the parish himself, and all the members of the Church in his parish, together with every thing belonging to the Church, shall be kept according to the directions given him at the visitation; which directions, or book of articles, are ordered by the 119th canon of our Church (by the means of those who have ecclesiastical jurisdiction) to be delivered to the Churchwardens or Sidesmen at the ordinary time when they are sworn, which secures them from being otherwise wilfully ignorant of their duty, and which, therefore, they swear they will truly and faithfully execute according to the best of their skill and knowledge.

The two principal canons the 26th and 119th, placed in the first page of the said articles of enquiry are framed in very strong language, in order if possible to insure those duties which they are intended to enforce; that nothing one would think could be more effectual.

The 26th canon (which I recited before) expressly forbids the "minister to admit any Churchwardens or Sidesmen to the receiving the holy Communion, who having taken their oaths to present all such public offences, as they are particularly charged to enquire of in their several parishes, shall, notwithstanding their oaths" and their discharge of them (their faithful discharge of them) is the chief means whereby public sins and offences may be reformed and punished, (I repeat the expression) "shall willingly and wittingly, desperately and irreligiously, incur the horrible crime

of perjury, either in neglecting or refusing to present such of the said enormities and public offences as they know themselves to be committed in their several parishes, or are notoriously offensive to the congregation there, although they be urged by their minister to discharge their consciences, by presenting of them, at the Easter or Michaelmas visitations, and not to incur so desperately the horrible sin of perjury."

I cannot help remarking again how plainly and forcibly our Church has expressed herself in the first of these canons (the 26th) to prevent those who undertake the office of Churchwarden from incurring so desperately the horrible sin of perjury. And yet, notwithstanding all this precaution and provision of the Church to prevent the violation of the oath they take, there are very few (comparatively speaking) I fear, to whom it is administered, who do not take it as a matter of course, and, if I may be allowed the expression, *swallow it*, as if their consciences "were seared," as the Apostle expresses himself, with a hot iron, not considering the object that the Church had in administering so wholesome a preventive against vice, immorality, and irreligion, viz. "A purifying the heart by faith." Not the *beginning* of strife, as they foolishly consider it; but as the Apostle declares it will prove, when faithfully discharged, "an end of all strife[n]."

Would Churchwardens consider their engagement

[n] Heb. vi. 16.

in this light; that the peace of the Church was the only object her governors had in view in binding them with so strong a bond, so sure and effectual a one, we might think as an oath; and moreover not contented with the administration of it in the Church, (in the more immediate presence of God) but enjoining also in the 119th canon, that a book of articles or instructions should be delivered to the Churchwardens, which should contain the form of the oath, to the intent (as the same canon expresses it) that having beforehand time sufficient, not only to peruse and consider what their said oaths shall be, (that is, I presume, what an *awful* "thing it is, and what is the end and object of it;"—it is, therefore, placed in the front of their instructions,)—"but the articles also whereupon they are to ground their presentments, they may frame them at home, both advisedly and truly to the discharge of their own consciences, after they are sworn, as becometh honest and godly men." What a detestable opinion must the Church appear to entertain of those, who do not discharge their consciences according to the oath which is administered to them, when they undertake their office?

It considers them, we see, as neither honest nor godly men, characters, I should hope, most men would like to have the credit of; the former, the veriest knave will assume, at least when he thinks his villanies are unknown —but for the *latter*, I much fear, it is too much scoffed at by the world; by "those who walk in the counsel of the ungodly, and stand in the way of sinners, and sit in the seat of the scornful," to be coveted by them:

for though they may wish to die the *death* of the righteous, they had rather defer their pretensions to the character of godly men till death approaches.

But as a Churchwarden cannot have a better interpretation of the foregoing most estimable characters, and "what becometh them to do," I would recommend to him the advice of the prophet Zachariah [o] to the inhabitants of Jerusalem and the house of Judah; "These are the things that ye shall do," says he, "speak ye truth to his neighbour, execute the judgment of truth and peace in the gates (that is, in your offices of public justice) and let none of you imagine evil in your hearts against his neighbour, and *love no false oath.*" Do not sacrifice so sacred an obligation to the foolish idols you have set up, of *peace and quietness,* (falsely so called) by way of screening offenders from the punishment due to their crimes. "The *faithful* discharge of your oaths, (being as the Canon expresses itself,) the chief means whereby public sins and offences may be reformed and punished. For all these are things that I hate, saith the Lord." "As I live, saith the Lord God, (by another prophet [p],) surely mine oath that he hath despised, and my covenant that he hath broken, even it will I recompense upon his own head." These are tremendous denunciations, of the severity with which God threatens those who abuse their oaths.

But leaving the oath out of the question, and even

[o] Zach. xviii. 16.

[p] Ezek. xvii. 19.

the office; the law of Moses (the moral part of which is as binding upon us as it ever was upon the Jews) enjoined it as a duty owing to our neighbour, not to suffer sin upon him through false kindness and lenity; for this was considered as the greatest breach of charity, no less than hating him, "Thou shalt not hate thy brother in thy heart, thou shalt in any wise rebuke thy neighbour, and not suffer sin upon him[q]."

But I fear I have tired the patience of my reader with remarks, which may have suggested themselves to him before, on the important trust which a Churchwarden is appointed to fulfil. I shall, therefore, conclude with a remark or two more upon the articles of enquiry; and answer the ordinary excuses which have been repeatedly made to me for neglecting the duties which Churchwardens are called upon to execute.

Nothing, one would think, could be framed more likely to secure the well-being of our Church, than the means our governors have prescribed for this purpose, in framing such wholesome and wise instructions for the use of her wardens, by putting such pertinent questions into their articles of enquiry, (meant, I presume, to be answered by those to whom they are addressed,) that if answered *faithfully*, would have done much towards preserving our truly Apostolic Church in her primitive purity.

What could have been thought of, I say, so likely to ensure her success and strengthen her power against the assaults of her enemies, (who are *now*

[q] Levit. xix. 17.

more than ever laying siege against her) than a faithful and true answer to such questions as are demanded from the Churchwardens; which would put it into the power of those who have the rule over us to check that spirit of intolerable lawlessness and insubordination which pervades every class of people? And I might, therefore, apply to any Churchwarden who violates the oath he has taken to protect the Church, what St. Paul said to the Jews, who were (as Churchwardens are) instructed out of the *Law*. "Thou, therefore, who teachest another, teachest thou not thyself?" Thou that art chosen to be a warden and a guardian over others, and art appointed to see that a man should not break the laws of the Church, dost thou break them thyself? Thou that swearest that thou wilt "faithfully execute thy office according to the best of thy skill and knowledge, and present such things and persons as are to thy knowledge presentable," dost thou not stir thy finger to perform thy oath? not even by setting an example in thine own person? Can a Churchwarden enforce the duty of going to Church, for example, upon Sundays and holydays, if he be neglectful in going himself? Can a Churchwarden present an absenter from the Communion who is himself no communicant, or seldom frequents it? Can a Churchwarden present a man for drunkenness, or any other notorious crime, who is himself a practiser of the same sins? Or can a Churchwarden present the *minister* of his parish for irregular conduct or breach of duty in his office, when he himself neglects his own duty? I am sure his

conscience, if it be not seared, must upbraid him with shameful neglect of his duty. But when he is reproached with it he replies, that it is impossible to perform his office according to the directions given to him, without bringing upon him the hatred of his neighbours; and moreover, that no one does the duties of the office strictly, (presentments being seldom or never made.)

In regard to the first reason, I readily grant that a Churchwarden cannot do his duty in this office strictly and conscientiously, nor indeed in any other office, without incurring the hatred of *bad* men; but is this frivolous reason to deter a *good* man from doing his duty? from doing that which he has sworn he will do? Would not any man who is not quite abandoned be ashamed to take an oath in a temporal court, or even promise to do that which he had before determined not to do? Who is so blind as not to see the baseness of such conduct? As to the other absurd excuse made for not doing what he has sworn to do, "that no one performs the office strictly," I answer, is one man's conscience to be the measure of another's? Are we not expressly commanded in God's word not to "follow a multitude to do evil?" "But," says he, "what is to be done in this difficult case?" I will reply in the words of St. Paul, and the other Apostles, when they were commanded by the High Priest to act against their consciences, he "ought to obey God rather than man;" fear God, and be "not afraid what man can do unto him." He should despise the scoffs of the wicked, when he has

sworn to defend the Church against the assaults of evil-doers. He should not boldly face his Maker with a lie in his mouth, and confirm it too with an oath, by swearing that he will do what he says he cannot do, and has, therefore, I fear, settled in his mind before that he *will* not perform; but he should consider what the Scripture again teaches him, that "it is better to lose a right hand, or a right eye" (to part with that which is most dear to him) "than lose his own soul."

I earnestly hope that what I have so insufficiently represented in this tract may give a hint, at least, towards reforming an evil which, some how or other, has been very long suffered to exist, to the annoyance of thoughtful people, and the hazarding the souls of thoughtless ones, by giving the latter an idea, that the most sacred engagement that is contracted between God and man may be used as a mere form of office, without any regard to the fulfilment of it, and (even when it is palpably and plainly violated) that it may yet escape punishment. Nay, I have heard it asserted that the ecclesiastical law in this case is rendered null and void, by the overbearing power of the common law; but this, however true it may be, as to the power of putting the law into execution, can have no respect to the oath which the Churchwarden takes to perform the duties of his office—which either *can* be performed or *cannot;* if it *can,* he is under the strongest obligation to perform what he has sworn to do; if it cannot, he ought not to be *permitted,* much less *obliged* to swear that he will; for this would be

to make the most solemn engagement in the world, a *mere form of office*, as I said before, and shew the greatest contempt to the God of Truth, who has denounced the severest judgment against false swearing.

But however difficult it may be to find a remedy for this gross evil, no one can doubt but that it should by some means or other be put a stop to ; it bears dreadfully heavy upon a certain class of men who should be "respectable;" as they ought to be looked up to by the lower classes as examples in their several parishes; our ecclesiastical law directing (as I hinted before) that "they be chosen out of the *most* respectable of the parish." But who could conscientiously recommend *such* for examples, who have repeatedly broken their most sacred engagements ?

The Churchwardenship is certainly an office of great respectability, if it be performed as it should be, but replete with dangers if it be neglected, both to those who are appointed to it, as well as to those among whom Churchwardens are to exercise their authority; the former are perjured if they do not discharge their office faithfully; the latter are taught, by the repeated neglect of the executors of the ecclesiastical laws, that the laws themselves are insignificant and contemptible. It is no wonder then if the Church itself and its ministers be considered so too.

THE END.

PRINTED BY R. GILBERT, ST. JOHN'S SQUARE.